

**Rhode Island Board of Regents for Elementary & Secondary Education**  
**Minutes of October 1, 2009**

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**A Meeting of the Rhode Island Board of Regents for Elementary and Secondary Education was held at the Dr. M.H. Sullivan School, 35 Dexter Street, Newport, RI, and convened at 4:09 p.m.**

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**In Attendance:**

Robert Flanders, Anna Cano-Morales, Karin Forbes, Patrick Guida, Colleen Callahan, Betsy Shimberg, Angus Davis

**Commissioner's Comments:**

- Commissioner Gist thanked the Newport School District for hosting the meeting.
- Update on Race to the Top: Commissioner Gist asked Regent Shimberg to talk about the strategy group's work on the Race to the Top application. The Commissioner distributed a draft document showing how we will measure success in transforming education in Rhode Island. By 2015, 90% of all Rhode Island students will graduate with a high-school diploma or its equivalent, ready for entry into a college or postsecondary education-and-training program; by 2012, 80% of all Rhode Island students will graduate with a high-school diploma or its equivalent, ready for entry into college or postsecondary education and training. The 5 priority areas are as follows: Ensure Educator Excellence, Accelerate All Schools Toward Greatness, Establish World-Class Standards and Assessments, Develop User-Friendly Data Systems, and Invest Resources Wisely. A discussion of the document will be an agenda item for the next Board of Regents work session.
- Update on hearings for educator evaluation standards and professional code of responsibilities: The dates have been posted. Board of Regents hearings are scheduled to take place on Tuesday, October 13, at CCRI Warwick, and Thursday, October 22, at the Public Street (Providence) MET School campus. Commissioner Gist told the Regents that, along with receiving feedback on the standards, RIDE is developing tools that the districts can use to be sure that they will be ready to roll out the standards in the fall of 2010. RIDE is also developing a set of rubrics and guidelines on establishing a high-quality, rigorous teacher-evaluation system.
- Commissioner Gist also reported that a teacher from Bristol Warren was arrested for DUI this week. She said that the teacher is currently on administrative leave indefinitely, that RIDE has sent her a certified letter to make an appointment with the Director of Educator Certification to discuss the renewal of her application, and that RIDE will send notification of a hearing to revoke her certificate if she does not respond within one week.
- On all future Board of Regents agendas there will be a standing agenda item of an executive session, as a placeholder for items appropriate for executive session.

**Recognition of Presidential Award Winners in Mathematics and Science**

Chairman Flanders presented Board of Regents certificates in recognition of the state finalists for the Presidential Award for Excellence in Mathematics and Science Teaching. They are as follows: Jeffrey Schoonover, a physics teacher at Portsmouth High School; Francis Lenox, an East Greenwich High School physics teacher; Leslie Martinelli, a biology teacher at LaSalle Academy; and Maureen Kennedy, a Scituate middle-school mathematics teacher.

**Public Remarks**

Travis Zellner, Chairman of the Rhode Island School for the Deaf Board of Trustees, read a statement from the School for the Deaf Board of Trustees expressing their opposition to the Regents' proposed resolution regarding the roles and responsibilities of the trustees. A copy of the letter is attached.

Kerry Tuttlebee, Rhode Island Teaching Fellows, spoke in support of the proposed increase in cut scores for admission to teacher-prep programs.

Dinaz Adenwalla, President Rhode Island School for the Deaf teachers union, expressed the union's support of the Board of Regents and Commissioner and told the Regents that whatever decision the board makes today, they will support Commissioner Gist and look forward to receiving guidance from her.

Chairman's Remarks

Chairman Flanders asked for a motion to amend the agenda to include agenda item number 7 – Approval of the Adoption of Settlement Language for Non-Union Employees in the Department of Elementary and Secondary Education. There were no objections.

**MOVED and SECONDED: THAT, the Rhode Island Board of Regents for Elementary and Secondary Education Amend the Meeting Agenda for October 1, 2009, to include the Adoption of Settlement Language for Non-Union Employees in the Department of Elementary and Secondary Education.**

**VOTE: Approved Unanimously.**

Approval of Minutes

Chairman Flanders presented the minutes of the September 3, 2009, meeting, for approval.

**MOVED AND SECONDED: THAT the Rhode Island Board of Regents for Elementary and Secondary Education Approves the Minutes of the September 3, 2009 meeting, as attached.**

**VOTE: Approved unanimously.**

Approval of Resolution on Rhode Island School for the Deaf Board of Trustees

Commissioner Gist told the members of the Board of Regents that the School for the Deaf was notified in May 2009 that the school was being placed in the Progressive Support and Intervention process. She said that the proposed resolution is to temporarily change the structures related to the role of the Board of Trustees so that the roles and responsibilities of the board, director, and staff can be reviewed and improved. Ms. Gist emphasized that it is important that the voices of parents, teachers, and community members are all heard and that this is a necessary step to "...getting things back on track and moving forward." The Commissioner noted that the goal of the changes is to ensure that RIDE works closely with the Board of Trustees to get the school to a higher level of achievement. Commissioner Gist distributed a revised version of the resolution. (Attached) The group discussed the Regents' authority to make the proposed changes and the ability of the Department of Education to monitor the school. Regents also talked about the importance of board development. Regent Callahan asked about the nature of collective bargaining and if the resolution will cause any interruption in work already being done in negotiations with the Board of Trustees. Deputy Commissioner Abbott told the Regents that the one substantive change is the direct supervision of the director, which will fall to the Board of Regents for a temporary period. The feeling is that by relieving the School for the Deaf Board of Trustees of this responsibility, the trustees would have more time to focus on matters related to increased achievement. Mr. Abbott said that personnel issues and negotiations would remain with the trustees and would not be affected by this resolution.

**MOVED and SECONDED: THAT, the Rhode Island Board of Regents for Elementary and Secondary Approve the Resolution on the Rhode Island School for the Deaf Board of Trustees, as modified.**

**VOTE: Approved Unanimously**

**Approval to Adopt Settlement Language for Nonunion Employees in the Department of Elementary and Secondary Education**

This item was added to the agenda as per the request of the Chairman and approved by the Board. The adoption of settlement language would apply to nonunion personnel with the exception of no layoffs. The Commissioner highlighted the provisions of the agreement, as follows:

- 8 one-day pay reductions during fiscal year 2010. These will be offset by additional leave accruals. There will be no “shut-down” days.
- The July 1, 2010, 3% pay increase is deferred to January 2, 2011.
- 4 one-day pay reductions during fiscal year 2010. These will be offset by additional leave accruals.
- As these are nonunion employees, the “no layoff” provision will not be extended and the memorandum does recognize the state’s right to transfer, reorganize, eliminate, or consolidate functions, programs, units, divisions, or departments within the executive branch.

**MOVED and SECONDED: THAT, the Rhode Island Board of Regents for Elementary and Secondary Education Directs the Commissioner of Education to Implement the Language contained in the Governor’s Memorandum of Settlement with the state’s labor unions for all nonunion personnel, exclusive of the no layoff provision, effective with the paycheck of October 16, 2009, as presented.**

**VOTE: Approved Unanimously.**

**Report on NECAP Science Scores**

Commissioner Gist told the members of the Board that in the future the department will schedule full briefings on such matters as standardized test results. On the NECAP science scores, she said that we are not satisfied with the student results. Overall, a number of schools showed significant gains, and we have reached out to them to determine how they have made their gains. So far, we have heard that they have paid a lot of attention to alignment with the science content standards. The Commissioner reported that she is most concerned about the achievement gaps, which are wider than in any other subject area. Over 95% of students of color are not proficient in science. Regents Davis and Guida said that it would be very valuable to have workshops on results, even if not a mandatory meeting. Other Board members agreed, noting that issues are not just about curriculum but also about course sequencing. Regents expressed an interest in looking at the articulation of the language-arts standards with the science standards, updated information about the work of the Dana Center on alignment, access to technology, and curriculum issues.

**Teacher cut scores**

Commissioner Gist reported to the members of the Board that all teacher-prep programs require a basic-skills assessment upon entry. However, Rhode Island scores were the lowest among all states and territories, at 170 math, 170 reading, and 170 writing. Only Guam, Mississippi, Nebraska, and North Dakota used scores of 170, and not on all 3 tests. Though it is difficult to predict who is going to be an excellent teacher, some things correlate with teacher effectiveness, and one is the teacher’s academic performance. Therefore, the Commissioner recommended moving the cut scores from 170 to 179 in math and reading and 177 in writing. She explained that the recommendation was arrived at by looking at cut scores from other states. She also told the Regents that she has asked for comments, but she is intent on moving forward with the changes.

Regent Shimberg noted that this is the first gate that the Board of Regents controls and that she fully supports raising the cut scores. Regent Davis noted that he is supportive of this and would encourage the Commissioner to broaden the use of the tests to approve a broader range of people in the field. He also noted that Massachusetts has its own test, and maybe Rhode Island should look at adopting the Massachusetts test to give Rhode Island College graduates more job

opportunities. Regents Forbes and Callahan requested a work session on the proposed changes, including changes for the SAT, GRE, and ACT cut scores. Commissioner Gist explained that, because of the timing for admission to the teacher-prep programs, this proposal had to be moved immediately.

#### Budget update

The Commissioner said that, since the last budget work session, no new information regarding the budget has been received. The department is continuing to work on savings for 2010 and the development of the 2011 budget. There is a meeting at the Department of Administration on the budget scheduled. Results of this meeting will be a list of budget-savings ideas that can be presented to the Governor for his consideration. The Board will be updated at the next work session.

#### Legislative update

The House and Senate are scheduled to reconvene on October 28<sup>th</sup> and 29<sup>th</sup>. Committee meetings might also be scheduled during that week.

Re: binding arbitration – The Commissioner told the members of the Board that, if given the opportunity to testify, she will oppose the bill. But if the Legislature does vote to move it forward, it has to be thought through carefully because it could put a structure in place that could be damaging in the long run. Regent Callahan noted that it was her understanding that the Board believes the issue needs additional study. Commissioner Gist said that she would not be speaking on behalf of the Board, but on her own behalf, and she opposes binding arbitration. Regent Callahan said that she does not want two separate messages being sent. Regent Davis expressed his opposition to the bill, and Regent Shimberg requested that it be brought up at a work session. The Chairman agreed.

Next, the Commissioner reported that she knows of no movement on the funding formula. Regent Shimberg suggested that the February Board of Regents meeting be held at the State House, as statute suggests.

Regent Guida said he would like to reinstate the practice of a Commissioner's address to the General Assembly. Chairman Flanders will look into these suggestions.

#### Adjournment

With unanimous consent, the meeting adjourned at 5:19 p.m.